

DEPARTMENT OF
ECOLOGY
State of Washington

File NR S4-35252
WR Doc ID 4644183

State of Washington WATER RIGHT PERMIT

PRIORITY DATE
June 9, 2009

WATER RIGHT NUMBER
S4-35252

MAILING ADDRESS
YAKAMA NATION (CONF TRIBES-BANDS)
PO BOX 151
TOPPENISH WA 98948-0151

Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
350	CFS	253,500 (non-consumptive)

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Fish Propagation	350		CFS	253,500		01/01 - 12/31

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Klickitat	Klickitat River	Columbia River	30-Klickitat

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Klickitat River	031225000000400		3N	12E	25	NWSW	45.717124N	-121.25917W

Datum: NAD83/WGS84

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

031225000000400, 031225000000500

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The Lyle Falls Fishway located within the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, and the N $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25 all within T. 3 N., R. 12 E. W. M.

Proposed Works

The Lyle Falls Fishway will divert 600 cubic feet per second (cfs) through a 475 foot long concrete structure. 350 cfs will be diverted under this authorization and 250 cfs under CS4-04802C.

Development Schedule

BEGIN PROJECT
November 30, 2010

COMPLETE PROJECT
September 1, 2011

PUT WATER TO FULL USE
September 1, 2012

WATER RIGHT PERMIT

FILE COPY

Measurement of Water Use

How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Annually (Jan 31)
What volume should be reported?	Total Annual Volume
What rate should be reported?	Weekly Peak Rate of Diversion in cfs

Provisions

Measurements, Monitoring, Metering and Reporting

An approved measuring device must be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173, which describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

<http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>

Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office for forms to submit your water use data.

Department of Fish and Wildlife Requirement(s)

The intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria.

<http://wdfw.wa.gov/about/regions/>

A permit from the Department of Fish and Wildlife may be needed to raise fish in any state waters:

<http://wdfw.wa.gov/about/regions/>.

No dam or weir shall be constructed in connection with this diversion.

Easement and Right-of-Way

The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right authorization by this department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

Proof of Appropriation

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the permit. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

This Permit Subject to Cancellation

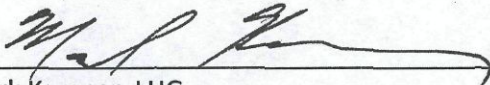
This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by the Department documenting such compliance.

Given under my hand of this office at Yakima, Washington this 19 day of MARCH, 2012.

Department of Ecology.

OK KSC

by



Mark Kemner, LHG
Section Manager
Water Resources Program/CRO